IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PERRY J. ROEBER,

Defendant.

4:16CR3094

ORDER

Defendant has moved to continue the trial currently set for November 14, 2016. (Filing No. 18). As explained in the motion, Defendant needs additional time to investigate this case and prepare for trial. The motion to continue is unopposed. Based on the showing set forth in the motion, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

1)   Defendant's motion to continue, (Filing No. 18), is granted.

2)   Trial of this case is set to commence before the Honorable Richard G. Kopf, Senior United States District Judge, in Courtroom 4, United States Courthouse, Lincoln, Nebraska, at 9:00 a.m. on January 9, 2017, or as soon thereafter as the case may be called, for a duration of three (3) trial days. Jury selection will be held at commencement of trial.

3)   Based upon the showing set forth in Defendant's motion and the representations of counsel, the Court further finds that the ends of justice will be served by continuing the trial; and that the purposes served by continuing the trial date in this case outweigh the interest of the defendant and the public in a speedy trial. Accordingly, the additional time arising as a result of the granting of the motion, the time between today's date and January 9, 2017, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because although counsel have been duly diligent, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1) & (h)(7). Failing to timely object to this order as provided under the court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

Dated this 8th day of November, 2016

BY THE COURT:
s/ Cheryl R. Zwart
United States Magistrate Judge